

NONAGGRESSION

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Conference on Problems of War and Peace, which met at Mexico City early in 1945, it was resolved:

Act of
Chapultepec,
1945

"3. That every attack of a State against the integrity or the inviolability of the territory, or against the sovereignty or political independence of an American State, shall, conformably to Part III hereof [having to do with consistency with the purposes and principles of the "general international organization" when organized], be considered as an act of aggression against the other States which sign this Act. In any case invasion by armed forces of one State into the territory of another trespassing boundaries established by treaty and demarcated in accordance therewith shall constitute an act of aggression."

Final Act of the Inter-American Conference on Problems of War and Peace, Mexico City, February-March 1945 (Pan American Union, 1945) 40, 42.

The Inter-American Treaty of Reciprocal Assistance, signed at Rio de Janeiro in 1947, was concluded "in order to assure peace, through adequate means, to provide for effective reciprocal assistance to meet armed attacks against any American State, and in order to deal with threats of aggression against any of them". By article 1 of the Treaty the parties "formally condemn war and undertake in their international relations not to resort to the threat or use of force in any manner inconsistent with the provisions of the Charter of the United Nations or of this Treaty." By article 3 they agree that "an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations." By article 6 it is further agreed that "If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent."

Rio Treaty,
1947

U.S. TIAS 1838; 62 Stat. 1699-1701; 21 UNTS 93-105.

Article 9 of the Inter-American Treaty of Reciprocal Assistance of 1947 reads:

"In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

RIGHTS AND DUTIES OF STATES

"a. Unprovoked armed attack by a State against the territory, the people, or the land, sea, or air forces of another State;

"b. Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State." 62 Stat. 1702; 21 UNTS 99.

At a meeting of the Council of the Organization of American States, held July 6, 1960, the Council took cognizance of a note of the Representative of Venezuela on the Council, whereby his Government requested "that immediately, and as a matter of urgency, the Organ of Consultation be convoked, pursuant to Article 6 of the Inter-American Treaty of Reciprocal Assistance, to consider the acts of intervention and aggression by the Government of the Dominican Republic against the Government of Venezuela, which culminated in the attempt upon the life of the Venezuelan Chief of State [President Betancourt]." The Council of the Organization of American States, on July 8, 1960, convoked a meeting of the Organ of Consultation—the Sixth Meeting of Consultation of Ministers of Foreign Affairs, which met at San José, Costa Rica, from August 16 to 21, 1960—in accordance with the provisions of the Inter-American Treaty of Reciprocal Assistance. (Cited *supra*.) The Council of the Organization also authorized the Chairman of the Council to appoint a committee to investigate the facts denounced by Venezuela and their antecedents and to submit a report thereon.

6th Meeting
For. Mins.,
San José,
1960: Res. I

The Sixth Meeting of Consultation of Ministers of Foreign Affairs approved, on August 21, 1960, the following resolution:

"The Sixth Meeting of Consultation of Ministers of Foreign Affairs Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,

"HAVING SEEN the Report of the Investigating Committee appointed pursuant to the provisions of the third paragraph of the resolution approved by the Council of the Organization of American States on July 8, 1960, and

"CONSIDERING:

"That the Charter of the Organization of American States sets forth the principle that international order consists essentially of respect for the personality, sovereignty and independence of states, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

"That in connection with the incident denounced by the Government of Venezuela before the Inter-American Peace Committee on November 25, 1959, that organ of the inter-American system reached the conclusion that 'the necessary arrangements